

REMARKS

Claims 1-9, 11 and 12 are now in this application. Claims 1-10 are rejected. Claim 10 is cancelled herein. New claims 11 and 12 are added. Claims 1, 8 and 9 are amended herein to clarify the invention.

TITLE OBJECTION

The title, "GAME PROGRESS CONTROL PROGRAM, COMPUTER-READABLE RECORDING MEDIUM, GAME SERVER AND GAME PROGRESS CONTROL METHOD" is objected to in the Office Action as being nondescriptive. The title is amended to read "INPUT METHOD AND APPARATUS FOR A BASEBALL GAME INCLUDING SIMULTANEOUS INPUT OF A DIRECTIONAL INPUT AND SELECTION INPUT FOR A PITCHER'S ACTION" to overcome this objection. It is respectfully submitted that the amended title is sufficiently descriptive. Applicant respectfully requests that the objection to the title be withdrawn.

CLAIM REJECTIONS UNDER 35 USC § 101

Claim 10 is rejection under 35 USC §101 as being directed to non-statutory subject matter. claim 10 is cancelled rendering said rejection moot.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-5, 9 and 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Lipson reference. Applicant herein respectfully traverses these rejections. “Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

Claims 1, 8 and 9 each recite “receiving input of instructions based on directional moving operations and button operations” of a pointing device, “said pointing device in its entirety being movable with respect to said monitor screen,” and that “the selection of pitching or pickoff throw as said pitching action is accomplished by different operations of the button provided on said pointing device.”

Thus, a feature of the present invention is that two parameters corresponding to direction and button operation amount can be instantaneously input.

In contrast to the above feature of the pending claims, the Lipson reference teaches a markedly different input system. In Lipson, selection is made by operation of the use of a plurality of buttons provided on an input panel 13, shown in Fig. 1b, which is fixed relative to the display screen of the game device. First, one of buttons, 34, 35, 36 (curve ball, fast ball, special ball) is selected and depressed. With this pressing operation, an indicator 74 of a feed back gauge 66 shown in Fig. 3a begins movement. The movement of the indicia 74 along a horse shoe shape feed back gauge 66 can be stopped at a desired position in the desired region by depressing one of the buttons 34, 35, 36 for properly selecting the type of pitch, i.e., pickoff throw region 68, perfect grip region 70, and pitch out region 72. Note that a point 76 in the pickoff throw region is a target point so that if the indicator 74 is successfully stopped on this point, then it would maximize the quality of the pitch. Similarly, a point 78 in the perfect grip region 70 is a point so that it maximizes the quality of the pitch when the indicator 74 can be stopped right on that point. A point 80 in the pitch out region 72 functions in the same way. See lines 1 to 15 on column 5 & lines 36: col. 6 to line 13: col. 7 of Lipson (USP5435554). Accordingly, the feature of selection of pitching or pickoff throw by a button operation is only accomplished by timing of

an operation of the button input and not on by the claims different operation of a button input.

In the embodiment of the present invention, such selection can be made by depression of either one of left and right buttons provided on the mouse. Thus indicating whether the pitching or the pickoff throw can be instantaneously performed with the present invention. On the other hand, with the use of the buttons provided on the input panel 13 of Lipson, such quick selection between the pitching and the pickoff throw cannot be made because it first of all requires a selection of pitching type and in particular, this pitching type selection requires a player to stop a moving indicator 74 at a certain point in the regions 68, 70, 72 along a horseshoe shape feedback gauge 66. Thus, the selection between the pitching and the pickoff throw according to Lipson takes time and a great deal of attention of the player.

Claims 1, 8 and 9 now recite a pointing device removable with respect to the screen for directional input and which has a button input. Furthermore, selection pitching or pickoff throw action is accomplished by different operations of the button provided on said pointing device.

In view of the above, it is respectfully submitted that claims 1-9 particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 1-9 and their allowance are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 6 and 7 are rejected as obvious over the Lipson reference respectively in view of the Hirai and Birch references under 35 U.S.C. §103(a). The applicant herein respectfully traverses these rejections. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that the proffered combination of references cannot render the rejected claims obvious because the secondary Hirai and Birch references do not provide the teaching noted above with respect to the anticipation rejection that is absent from the primary Lipson reference. Thus, the combination of prior art references fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejections of claims 6 and 7 and their allowance are respectfully requested.

Claims 11 and 12 are added and are submitted as patentable over the cited art of record. Both claims recite subject matter directed to use of a mouse input device in a baseball game wherein movement direction input can be simultaneously use with button input effect efficient input operations which, among other features recited therein, is not believed disclosed in the cited art in the manner as claimed.



Docket No. F-7309

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FEE AUTHORIZATION AND TIME EXTENSION

One independent claim in excess of three is added. Accordingly, please charge the fee of \$86.00 to Deposit Account No. 10-1250.

Applicant respectfully requests a one month extension of time for responding to the Office Action. Please charge the fee of \$110.00 for the extension of time to Deposit Account No. 10-1250.

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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
JORDAN AND HAMBURG LLP

By



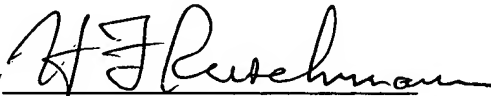
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